

PAY AND ALLOWANCES

Tit. 37, § 235, 236, 237 USCA

§ 235. Incentive pay for hazardous duty--Definition of hazardous duties

(a) Subject to such regulations as may be prescribed by the President, members of the uniformed services entitled to receive basic pay shall, in addition thereto, be entitled to receive incentive pay for the performance of hazardous duty required by competent orders. The following duties shall constitute hazardous duties:

(1) duty as a crew member as determined by the Secretary concerned, involving frequent and regular participation in aerial flight;

(2) duty on board a submarine, including submarines under construction from the time builders' trials commence;

(3) duty involving frequent and regular participation in aerial flights not as a crew member pursuant to part (1) of this subsection;

(4) duty involving frequent and regular participation in glider flights;

(5) duty involving parachute jumping as an essential part of military duty;

(6) duty involving intimate contact with persons afflicted with leprosy;

(7) duty involving the demolition of explosives as a primary duty, including training for such duty;

(8) duty at a submarine escape training tank, when such duty involves participation in the training; and

(9) duty at the Navy Deep Sea Diving School or the Navy Experimental Diving Unit, when such duty involves participation in training.

Amount

(b) For the performance of hazardous duty as prescribed in part (1) or (2) of subsection (a) of this section, members of the uniformed services qualifying for the incentive pay authorized pursuant to said subsection shall be entitled to be paid at the following monthly rates according to the pay grade to which assigned or in which distributed for basic pay purposes:

| Pay grade | Monthly rate | Pay grade | Monthly rate | Pay grade | Monthly rate |
|-----------|--------------|-----------|--------------|-----------|--------------|
| O-8..... | \$150.00 | O-1..... | \$100.00 | E-5..... | \$ 60.00 |
| O-7..... | 150.00 | W-4..... | 100.00 | E-4..... | 52.50 |
| O-6..... | 210.00 | W-3..... | 100.00 | E-3..... | 45.00 |
| O-5..... | 180.00 | W-2..... | 100.00 | E-2..... | 37.50 |
| O-4..... | 150.00 | W-1..... | 100.00 | E-1..... | 30.00 |
| O-3..... | 120.00 | E-7..... | 75.00 | | |
| O-2..... | 110.00 | E-6..... | 67.50 | | |

Amount for particular hazardous duties

(c) For the performance of any hazardous duty as prescribed in parts (3)-(9), inclusive, of subsection (a) of this section by officers and enlisted persons qualifying for the incentive pay authorized pursuant to said subsection, officers shall be entitled to be paid at the rate of \$100 per month, and enlisted persons shall be entitled to be paid at the rate of \$50 per month.

Suspension during war

(d) The President may, in time of war, suspend the payment of incentive pay for the performance of any or all hazardous duty.

Aviation cadets excluded

(e) No aviation cadet shall be entitled to receive any incentive pay authorized pursuant to this section.

Limitation of on number of payments

(f) No member of the uniformed services shall be entitled to receive more than one payment of any incentive pay authorized pursuant to this section for the same period of time during which he may qualify for more than one payment of such incentive pay. Oct. 12, 1949, c. 681, Title II, § 204, 63 Stat. 809.

§ 236. Special pay for diving duty--Amount per month

(a) An enlisted person of the uniformed services entitled to receive basic pay and assigned to the duty of diving shall, in addition to basic pay, be entitled to receive special pay, under such regulations as may be prescribed by the Secretary concerned, at the rate of not less than \$5 per month and not exceeding \$30 per month.

Amount per hour for certain depths or conditions

(b) Members of the uniformed services entitled to receive basic pay and employed as divers in actual salvage or repair operations in depths of over ninety feet, or in depths of less than ninety feet,

when the officer in charge of the salvage or repair operation shall find, in accordance with regulations prescribed by the Secretary concerned, that extraordinary hazardous conditions exist, shall, in addition to basic pay, be entitled to receive the sum of \$5 per hour or fraction thereof while so employed. The amounts authorized to be paid pursuant to this subsection shall, in the case of enlisted persons, be in addition to the amounts authorized pursuant to subsection (a) of this section.

Limitation on number of payments

(c) No member of the uniformed services shall be entitled to receive the special pay authorized pursuant to this section in addition to incentive pay authorized pursuant to section 235 of this title.

Suspension during war

(d) The President may, in time of war, suspend the payment of diving-duty pay. Oct. 12, 1949, c. 681, Title II, § 205, 63 Stat. 810.

§ 237. Special pay for sea and foreign duty

Under such regulations as the President may prescribe, enlisted persons of the uniformed services entitled to receive basic pay shall, in addition thereto, while on sea duty or while on duty in any place beyond the continental limits of the United States or in Alaska, be entitled to receive pay at the following monthly rates:

| <u>Pay</u> <u>grades</u> | <u>Monthly</u> <u>rates</u> | <u>Pay</u> <u>grades</u> | <u>Monthly</u> <u>rates</u> |
|-----------------------------|--------------------------------|-----------------------------|--------------------------------|
| E-7..... | \$22.50 | E-3..... | \$ 9.00 |
| E-6..... | 20.00 | E-2..... | 8.00 |
| E-5..... | 16.00 | E-1..... | 8.00 |
| E-4..... | 13.00 | | |

Oct. 12, 1949, c. 681, Title II, § 206, 63 Stat. 811.